

#### REQUEST FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. §1.53(b) Attorney Docket: 658/49678

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



PATENT APPLICATION nmissioner for Patents

Vashington, D.C. 20231

Sir:

This is a request for filing a continuation application under 37 C.F.R. 1.53(b), of pending prior application:

Serial No. 09/784,337

Filed on February 16, 2001

Of Joerg Giesler et al.

Entitled: Device for Conveying Elastomeric Media, Use of the

Device, As Well As Two Operating Methods

Examiner: Not Yet Assigned Group: Not Yet Assigned

Accompanying this order is a true copy of the prior application a X 1. originally filed.

> Total pages (15 pages of specification including 17 claims and abstract and 2 sheets of drawings with Figures 1-3).

- New Formal drawings are being filed herewith consisting of 2. sheet(s), depicting Figures \_\_.
- Declaration and Power of Attorney: <u>X</u> 3.
  - Newly executed (original or copy) a.
  - b. <u>X</u> Copy from prior application (unexecuted).
    - i. Deletion of Inventors signed statement attached deleting inventor(s) named in the prior application
- X Incorporation by Reference: 4.

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.



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12.

_	5.	Cancel original claims .
_	6.	Small entity status:
		a A small entity statement is enclosed
		bA statement of small entity status (copy attached) was filed on in the prior application and status as a small entity is still proper and desired.
		c. Is no longer claimed

X 7. The filing fee is calculated below:

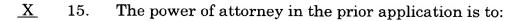
# CLAIMS AS FILED, INCLUDING ANY CLAIMS CANCELLED OR ADDED BY PRELIMINARY AMENDMENT

Basic Fee		\$370 \$740
Total Claims		<u>25</u> - 20 = <u>5</u> x 9 = <u>\$</u> 18 = <u>\$</u> 90
Ind. Claims		5 - 3 = <u>2</u> x 42 = <u>\$</u> 84 = <u>\$</u> 168
		Multiple Dependent Claims + 140 = \$ 280 = \$
		Total \$ 998
<u>X</u>	8.	Please charge my Deposit Account No. 05-1323 (Docket 658/49678) in the amount of \$998.00.
_	9.	A check in the amount of \$ to cover the filing fee is enclosed.
<u>X</u>	10.	The Commissioner is authorized to charge any fee which may be required under 37 CFR 1.16 or 37 CFR 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket 658/49678).
<u>X</u>	11.	Amend the specification by inserting before the first line the sentence:This application is a continuation of application Serial No. 09/.784,337, filed February 16, 2001

2000, is hereby claimed under 35 U.S.C. 119.

Priority of Appln. No(s). 00122436.9, filed in Europe on October 13,

\_ 14. The prior application is assigned of record to \_\_.



Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169.

- X a. The power appears in the original application papers in the prior application.
- X b. Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.
- c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.
- X d. Address all future correspondence to:

### CROWELL & MORING, L.L.P. P.O. Box 14300 Washington, DC 20044-4300

- 16. Forms PTO-892 and PTO-1449 listing prior art made of record in the prior application are attached. A copy of each of the listed references should be available in the prior application file.
- X 17. A Preliminary Amendment is being filed herewith.
- X 18. Translator's Declaration with 18 pages English translation of German application.
- X 19. Substitute Specification (14 pages) and Marked-up Specification (14 pages).
- X 20. Claim for Priority with certified copy of European appln. 00122436.9.
- X 21. Submission of Missing Parts in Application.
- X 22. Petition for Extension of Time (4 months).

## X 23. Return Receipt Postcard.

Respectfully submitted,

October 9, 2001

Donald D. Evenson

Registration No. 26,160

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